

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Mjalli et al.

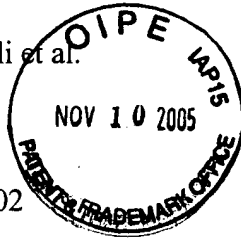
Examiner: STOCKTON, Laura

Serial No. 10/091,609

Group Art Unit: 1626

Filing Date March 5, 2002

Title BENZIMIDAZOLE DERIVATIVES AS THERAPEUTIC AGENTS



Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION UNDER 37 C.F.R. § 1.313(c)

Sir:

Applicants respectfully petition under 37 CFR §1.313(c)(2) that the above-identified application be withdrawn from issue. Applicants respectfully submit that the reason why this petition request is made is for a failure to fully define claim terms as they appear in the claims. Accordingly, along with this petition, Applicants herein submit a Request for Continued Examination (RCE) under 37 CFR §§1.111 and 1.114 amending the claims to fully define the claim terms. Moreover, Applicants also submit the associated fees for filing this petition under 37 CFR §1.17(e) and for filing the RCE.

11/14/2005 SSITHIB1 00000065 10091609

01 FC:2801
02 FC:1464

395.00-OP
130.00 OP

Should there be any questions relating to the instant application, an invitation is made to telephone the undersigned at (336) 607-7486 to discuss any issues.

Respectfully submitted,

Date: November 10, 2005

Ben Schroeder

T. Benjamin Schroeder (Reg. No. 50,990)

KILPATRICK STOCKTON LLP
1001 West Fourth Street
Winston-Salem, North Carolina 27101-2400
Phone: (336) 607-7486
Facsimile: (336) 607-7500